IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.142 OF 2006
IN
WRIT PETITION NO.1405 OF 2004

Dashrath S. Gaikwad & Anr. ....Appellants
V/s.
The Secretary, .
Animal Husbandry And Diary & Ors. ....Respondents

Mr.P.B. Shah for the Appellants. .
Mr.P.M. Patil, A.G.P. for Respondent No.1 to 6.

CORAM : R.M. LODHA, &
S.J. VAZIFDAR, JJ.
DATED : 14TH JULY, 2006.

P.C. :

Heard Mr.P.B. Shah, counsel for the appellants.

2. The present appellants miserably failed to establish before the Industrial Court the vacancy of posts in the office of Horticulture Officer, Taluka Mursery Centre, Yeola, District Nashik. Obviously for want of any vacancy, there was no question of the complainants being made permanent. The dismissal of the complaint, therefore, cannot be faulted. If the learned single Judge did not interfere with the order of the Industrial Court, it cannot be said that any

error has committed by the learned single Judge.

3. The letters patent appeal does not deserve to be entertained. Dismissed in limine.

(R.M. LODHA, J.)

(S.J. VAZIFDAR, J.)